

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

Chapter 7

No. 09-11893 (BRL)

**ORDER GRANTING TRUSTEE'S MOTION FOR AUTHORITY TO RETAIN SPECIAL  
COUNSEL *NUNC PRO TUNC* AS OF JUNE 9, 2009**

The cause having come before the Court upon the motion ("Motion") of Irving H. Picard ("Trustee"), Trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC ("BLMIS"), and the consolidated estate of Bernard L. Madoff ("Madoff") (collectively, "Debtors"), for authority to retain special counsel *nunc pro tunc* as of June 9, 2009, due and proper notice have been given under the circumstances of this case, and the Securities Investor Protection Corporation having specified Windels Marx Lane & Mittendorf, LLP ("Windels Marx") as special counsel, and the Court being fully advised in the premises,

**IT IS HEREBY ORDERED**, that:

1. The Motion is Granted.
2. Notice of the Motion to those persons and entities who have requested notice of all matters in this case shall be sufficient.
3. The Court finds that Windels Marx is hereby deemed disinterested under 15 U.S.C. § 78eee(b)(6)(A).
4. The Trustee is authorized to retain Windels Marx as special counsel to the Trustee as provided in the Motion, *nunc pro tunc*, as of June 9, 2009.

Dated: New York, New York  
July 16, 2009

/s/Burton R. Lifland  
THE HONORABLE BURTON R. LIFLAND  
UNITED STATES BANKRUPTCY JUDGE